

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

LaRon Young,

Civ. No. 22-1693 (PAM/JFD)

Plaintiff,

v.

**MEMORANDUM AND ORDER**

Sherburne County Jail,  
and Captain Zerwas,

Defendants.

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This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge John F. Docherty. (Docket No. 6.) The R&R recommends dismissing this matter because Plaintiff has failed to prosecute. The Court agrees.

On August 31, 2022, Judge Docherty ordered Plaintiff to submit financial documentation by September 21, 2022, in order to calculate a partial filing fee in this matter and to prevent his case from being dismissed under Fed. R. Civ. P. 41(b). (Docket No. 5.) Well over a month has passed since that deadline, and Plaintiff has failed to comply with the Court’s Order. He likewise did not file any objections to the R&R, and the time to do so has elapsed. See D. Minn. L.R. 72.2(b)(1) (providing that a party may file objections to a magistrate judge’s recommendations within 14 days). In the absence of any objection, the Court reviews the R&R only for clear error. Id.; see also Grinder v. Gammon, 73 F.3d 793, 795 (8th Cir. 1996) (noting that district court need only review un-objected-to R&R for clear error). The Court has conducted that review and finds no error, clear or otherwise,

in Judge Docherty's reasoning. Young has failed to prosecute his case, and it does not warrant the Court's continued time or resources.

## **CONCLUSION**

Accordingly, **IT IS HEREBY ORDERED that:**

1. The R&R (Docket No. 6) is **ADOPTED**;
2. Plaintiff's Petition to Proceed in District Court Without Prepaying Fees or Costs (Docket No. 2) is **DENIED as moot**; and
3. This matter is **DISMISSED without prejudice** for failure to prosecute.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: November 4, 2022

*s/Paul A. Magnuson*

Paul A. Magnuson  
United States District Court Judge